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Not A Matter of 'Betrayal'

By accusing journalists who use leaked classified information of accepting "stolen property" and of "betraying" their country, Presidential counselor Edwin Meese has shown that he has learned neither the law nor history lessons of the last 10 years. Despite official efforts to establish a "property" interest in government information, the courts have not definitively upheld the validity of such a legal concept. By logical inference, officials cannot acquire "property" in a commodity (information) that in effect belongs to the public and is essential to public understanding of government.

In his remarks on the NBC program, "Meet the Press," Mr. Meese implied that secrecy conferred by classification somehow gives information a sanctified status, the breach of which represents an unpatriotic act on the part of the leaker and the leak recipient. Yet recent history — from the Pentagon Papers to the Watergate scandals

to the misdeeds of the CIA and the FBI — is rife with examples of the secrecy stamp being used to deceive the public and to cover up atrocities and illegalities. The release and publication of classified information that exposes government wrongdoing, far from being a betrayal, is a service to the public.

Some classification to protect vital military information is necessary. But the process is vastly overdone throughout government, often merely to avoid possible official embarrassment — as classifiers themselves have admitted. No doubt the time will come — if it has not already — when some Reagan administration official will find it useful to leak classified information either to advance a policy with the public or to counter opposition. The most hopeful thing that can be said with regard to Mr. Meese's remarks is that a recognition of the usefulness of leaks will cause the administration to abide by his promise not to use "repressive tactics" to stop them.